

REMARKS

Status of the Claims

Claims 1 – 4, 6 – 8, 10 – 20, 22 – 23 are pending. Claims 5, 9, and 21 have been canceled. Claims 11 – 15 have been withdrawn from consideration.

Claim Amendments

The claim amendments are made without prejudice, and without disclaimer of the canceled and/or modified subject matter. Indeed, “[t]he language in the ... claims may not capture every nuance of the invention or describe with complete precision the range of its novelty.”¹ Thus, “[t]he scope of [the present claims] is not limited to [their] literal terms but instead embraces all equivalents to the claims described.”²

The amendment to claims 1, 2, 3, 4, 6, 10, 11, and 15 do not add new matter, because the amendment rewrites claim 1 to depend from claim 7.

The amendment to claim 7 does not add new matter, because the amendment finds support in the specification in original claim 1 and on page 1, lines 4 – 15.

The amendment to claim 16 does not add new matter. The amendment adds the features of claim 21. The amendment finds support in the specification on page 4, line 39 – page 5, line 5.

The cancellation of claim 21 does not add new matter, because the cancellation does not affect the scope of any pending claims.

The amendment of claim 23 does not add new matter, because the amendment corrects a typographical error.

¹ *Festo Corp. v. Shoketsu Kinzoku Kogyo Kabushiki Co., Ltd.*, 535 U.S. 722, 731, 122 S.Ct. 1831, 1837 (2002).

² *Festo*, 535 U.S. at 731, 122 S.Ct. at 1837.

Claim Rejections

- I. The Office action rejects claims 1, 3, 4, 6, 10, 16, 18 – 20 and 23, citing 35 U.S.C. §103(a) and US 6,413,477 to Govoni et al. (hereinafter, “Govoni”).

The amendments to the claims 1 and 16 render this rejection moot.

- II. The Office action rejects claims 7, 8, 21 and 22, citing 35 U.S.C §103(a), Govoni, and US 2,636,712 to Lubbock (hereinafter, “Lubbock”).

The Board of Patent Appeals and Interferences held the Examiner reversibly erred in combining the teachings of Govoni and Lubbock to arrive at the invention of claims 7, 8, 21, and 22. Favorable reconsideration is respectfully requested.

Applicants also respectfully request favorable reconsideration of withdrawn claims 11 – 15, which have been amended to depend from claim 7.

Fee Authorization

Please charge any shortage in fees due in connection with the filing of this paper, including any shortage in Extension of Time fees, to Deposit Account 14.1437. Please credit any excess fees to such account.

Conclusion

The present application is in condition for allowance, and applicants respectfully request favorable action. In order to facilitate the resolution of any questions, the Examiner is welcome to contact the undersigned by phone.

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